

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

**Magistrate Judge Richard Seeborg, Presiding**  
Courtroom 4 - 5<sup>th</sup> Floor

**Civil Minute Order**

Date: December 19, 2007

Time in Court: 40 minutes

Courtroom Deputy Clerk: Patty Cromwell  
Court Reporter/FTR:

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**TITLE:** Surf and Sand LLC v. City of Capitola

**CASE NUMBER:** C07-05043RS

Plaintiff Attorney present: Mark Alpert

Defendant Attorney present: Henry Keater

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**PROCEEDINGS: Defendant's Motion to Dismiss**

Counsel present arguments. Matter is taken under submission. Court to issue written ruling.